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Location: DCRoomWest6105ERockCreek/DC-EPA-West-OST
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Subject: CA Temporary Change Petitions Lawsuit
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[WQCP1995Approval.pdf](#)
[Background Summary.docx](#)

Attachment Deleted Ex. 5 - Deliberative Process/Attorney Client

Colleagues,

As you may know, earlier this month a coalition of NGOs filed suit against the U.S. Bureau of Reclamation, the California Department of Water Resources, and the State Water Resources Control Board. The plaintiffs are seeking an injunction against the approval of a Temporary Urgency Change Petition from back in February that allows the state and USBR to keep exporting water from the Delta, notwithstanding the flow and salinity criteria in place. **EPA is not named as a defendant.**

Given the sensitivities around flow criteria in California, OGC and ORC suggested a joint meeting to discuss this case.

Please indicate your availability, and let me know if you have any questions.

Thanks,
Noah Van Gilder

UPDATE (7/8): Proposed agenda and background materials now attached, courtesy of Tom Hagler.

Proposed Agenda

The purpose of this call is to make everyone aware of the lawsuit and its relevance to EPA CWA programs in the California Bay Delta, and to get at least a general consensus on how EPA sees these issues.

- (1) Introductions
- (2) Brief Description of the Lawsuit
- (3) EPA issues raised

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- (4) Discussions with DOJ thus far